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NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

1) \$1,774.65 IN WELLS FARGO ACCOUNT  
XXXXXX4687;

2) \$4,906.28 IN BANK OF AMERICA  
ACCOUNT XXXXXX1479;

3) \$18,944.75 IN E\*TRADE FINANCIAL  
ACCOUNT XXX-22920;

4) 1998 SUZUKI SIDEKICK, VIN  
JS3TD21V8W4100132, CALIFORNIA  
LICENSE 4YYF388; AND

5) MISCELLANEOUS FIREARMS AND  
AMMUNITION,

Defendants.

No.

08

0006

COMPLAINT FOR FORFEITURE

PVT

In this in rem forfeiture action, the United States alleges:

**JURISDICTION**

1. This Court has jurisdiction under Title 28, United States Code, Sections 1345 and 1355, and Title 18, United States Code, Section 981(a)(1)(G).

**PARTIES**

2. Plaintiff is the United States of America.

3. Defendants are further described as follows (collectively referred to as "defendant property"):

**FUNDS**

- a) \$1,774.65 in funds seized from Wells Fargo Account xxxxxx4687 held in the name of Rahmat Abdhir;
- b) \$4,906.28 in funds seized from Bank of America Account xxxxxx1479 held in the name of Rahmat Abdhir;
- c) \$18,944.75 in funds seized from E\*Trade Financial Account xxx-22920 (also identified by account number xxxxxxxxxxx1814) held in the name of Rahmat Abdhir;

**CONVEYANCE**

- d) a 1998 Suzuki Sidekick, VIN JS3TD21V8W4100132, California License, 4YYF388;

**FIREARMS AND AMMUNITION**

- e) Pack West Arms Commando .223 caliber Rifle, Serial Number 44177;
- f) Ceska Zbrojovka Model CZ52 .762 caliber pistol, Serial Number FK14699 with a gun lock;
- g) Romanian SAR1 .762 caliber AK-47 type rifle, Serial Number S1-17323-2000;
- h) Russian SKS or M45 .762 caliber rifle, Serial Number CCCP17287;
- i) Romanian Romak3 (Dragunov) .762 caliber rifle, Serial Number R46872000;
- k) Russian Mosin Nagant M44 .762 caliber rifle, Serial Number 44633;
- l) 11 empty magazines (2 silver);
- m) One Barrel in a soft zipper case;
- n) One Bayonet;
- o) Green ammunition box containing 13 unopened packs of ammunition;
- p) 54 loose rounds;
- q) 2 black magazines;

1 r) 7 boxes of Wolf ammunition; and

2 s) 4 boxes of Centerfire ammunition.

3 4. The defendant property is subject to forfeiture, pursuant to Title 18, United States  
4 Code, Section 981(a)(1)(G)(iv), as property belonging to Rahmat Abdhir, an individual engaged  
5 in the planning or perpetuating acts of international terrorism as defined by section 2331 against  
6 a foreign government. There is also probable cause to believe that the defendant property was  
7 used or intended to be used in preparation and carrying out of violations of Title 18, United  
8 States Code, Sections 956(a)(1) and 2339A.

9 5. The defendant property was seized by agents of the Federal Bureau of  
10 Investigation (FBI) on or about August 2, 2007, and is currently in the custody of the United  
11 States Marshals Service in the Northern District of California, with the exception of the  
12 defendant firearms and ammunition which is currently in the custody of the Federal Bureau of  
13 Investigation in San Jose.

14 **VENUE**

15 6. Venue lies in the Northern District of California pursuant to Title 28, United  
16 States Code, Sections 1355(b) and 1395(a) and (b), as some of the acts giving rise to this in rem  
17 action occurred in this district and the in rem defendant property is now located in this district  
18 within the custody of the United States Marshal Service.

19 **INTRADISTRICT ASSIGNMENT**

20 7. This matter arises in Santa Clara county because a substantial part of the events  
21 which give rise to plaintiff's claims occurred in that county. Additionally, the allegations set  
22 forth below are based, in large part, on the investigation related to the criminal action captioned  
23 *United States v. Rahmat Abdhir, et al*, CR 07-00501 JF, currently pending in San Jose.  
24 Accordingly, pursuant to Civil Local Rule 3-12 and Criminal Local Rule 8-1, this matter should  
25 be assigned to the Honorable Jeremy Fogel, United States District Judge, in San Jose.

26 **FACTS**

27 8. Plaintiff incorporates by reference the allegations of paragraphs one through seven  
28

1 as though fully set forth herein.

2 9. On August 1, 2007, a federal grand jury for the Northern District of California  
3 sitting in San Jose returned an indictment charging Rahmat Abdhir and Zulkifli Abdhir with  
4 conspiracy to provide and providing material support to terrorists, in violation of Title 18, United  
5 States Code, Section 2339A; contributing goods and services to a Specially Designated Global  
6 Terrorist, in violation of Title 50, United States Code, Section 1705, and making material false  
7 statements, in violation of Title 18, United States Code, Section 1001.

8 10. On September 5, 2003, pursuant to Executive Order (EO) 13224, the United  
9 States government designated Zulkifli Bin Abdul Hir, aka Musa Abdul, Musa Abdul Hir, Zulkifli  
10 Abdul Hir, Abdul Hir bin Zulkifli, Bin Abdul Hir Zulkifli, as a Specially Designated Global  
11 Terrorist by the Office of Foreign Assets Control. Executive Order 13224 was issued pursuant to  
12 IEEPA and, among other things prohibited "any transaction or dealing by United States persons  
13 or within the United States in property or interests in property blocked pursuant to this order is  
14 prohibited, including but not limited to the making or receiving of any contribution of funds,  
15 goods, or services to or for the benefit of those persons listed in the Annex to this order or  
16 determined to be subject to this Order." This designation made it a violation of Title 50, United  
17 States Code, Section 1705(b) to willfully provide Zulkifli Abdhir money and supplies.

18 11. As early as 2000 but from at least 2005, Zulkifli Abdhir lived primarily in the  
19 southern Philippine island of Mindanao, and at times in the territories controlled by the Moro  
20 Islamic Liberation Front (MILF). For approximately the past thirty years, the MILF has waged a  
21 secessionist campaign in the southern Philippines and has had sporadic clashes with the Armed  
22 Forces of the Philippines. According to news reports, subject matter experts and open-source  
23 research, the MILF's goal is the creation of an independent Muslim state in the southern  
24 Philippines. Zulkifli Abdhir is wanted by both the United States and Philippine governments;  
25 various MILF commanders have provided him refuge.

26 12. Rahmat Abdhir and Zulkifli are brothers. Rahmat has sent Zulkifli money and  
27 supplies knowing that some of that money and supplies are used and intended to be used to fund  
28

1 and support terrorist activities. Zulkifli Abdhir has used some of the money and supplies to  
2 purchase weapons and to support MILF and others in their clashes with the Philippine military,  
3 attacks on Datu Andal (a local politician) and his family, and bombings of civilian targets.

4 13. Rahmat Abdhir and Zulkifli Abdhir correspond primarily via e-mail. In their  
5 email correspondence, they discuss methods to ship money and materials requested by Zulkifli  
6 Abdhir to the Philippines without being detected or arousing suspicion. These methods included  
7 using false names. The materials to be sent included money, accessories for firearms, backpacks,  
8 two-way radios, knives and publications about firearms. They often communicated in code to  
9 disguise the nature of their activities.

10 14. To date, bank records and other information obtained during the course of the  
11 investigation has revealed that Rahmat Abdhir has transferred more than \$43,000 of financial  
12 support to Zulkifli Abdhir and his MILF protectors in the Philippines. The investigation has also  
13 revealed that the Rahmat Abdhir has used funds from his Bank of America account xxxxxx1479,  
14 his E\*Trade account xxx-22920, and his Wells Fargo account xxxxxx4687, among other sources,  
15 to provide financial support to Zulkifli Abdhir for his terrorist activities.

16 15. In order to receive this financial support from his brother, Zulkifli Abdhir  
17 primarily utilized four accounts at banks in the Philippines and Malaysia that were held in the  
18 names of relatives or under his aliases. These accounts are identified as follows: a) Philippine  
19 National Bank (PNB) account in the name of Armand L. Escalante (hereinafter "Escalante  
20 account"), in General Santos City, Philippines; b) PNB account in the name of Salim A. Alombra  
21 (hereinafter "Alombra account"); c) Maybank account in the name of Minah Binti Aogis Abd  
22 Aziz, (Rahmat and Zulkifli Abdhir's mother)(hereinafter "Maybank account"), located in  
23 Malaysia; and d) PNB account in the name of Normina Hashim (hereinafter "Hashim account"),  
24 (Zulkifli's wife's cousin) located in Kadapawan City, Cotabato, Philippines.

25 16. Records obtained from the Philippines National Bank reveal that Zulkifli Abdhir  
26 opened the Philippine National Bank account in the name of Armand L. Escalante, on December  
27 13, 2001, in General Santos City, Philippines. In addition, on January 29, 2002, Zulkifli Abdhir  
28

1 opened the Philippine National Bank account in the name of Salim A. Alombra.

2 17. Bank of America records establish that Rahmat Abdhir used the defendant Bank  
3 of America account xxxxxx1479 to send at least \$21,380 to Zulkifli Abdhir through the  
4 Escalante, Alombra and Maybank accounts.

5 18. While the Escalante and Alombra accounts were in use, bank records reflect that  
6 Rahmat Abdhir alternated wire transfers from the defendant Bank of America account into these  
7 two accounts. On December 18, 2001, Rahmat sent \$1,500 to the Escalante account. On  
8 February 26, 2002, he transferred \$1,000 to the Alombra account, and on May 28, 2002, he sent  
9 another \$1,000 to the Alombra account.

10 19. In August 2002, Rahmat Abdhir resumed his pattern of alternating deposits into  
11 the two PNB bank accounts held by Zulkifli Abdhir under his aliases Escalante and Alombra.  
12 On August 29, 2002, Rahmat Abdhir sent \$1,000 to the Escalante account. On November 25,  
13 2002, the Alombra account received \$1,500 from Rahmat Abdhir, and on March 4, 2003,  
14 Rahmat sent \$800 to the Escalante account. On April 15, 2003, Rahmat Abdhir transferred  
15 \$2,000 to the Alombra account. The last wire transfer from Rahmat's Bank of America account  
16 xxxxxx1479 to either account was on March 4, 2004, for \$800, to the Escalante account.

17 20. Bank of America records and e-mail communication between Rahmat and Zulkifli  
18 also reflect that Rahmat Abdhir used his Bank of America account xxxxxx1479 to make at least  
19 seven wire transfers into the Maybank account used for Zulkifli Abdhir to receive financial  
20 support. The Maybank account is held in the name of Minah Binti Aogis Abd Aziz, Rahmat and  
21 Zulkifli's mother. Hafiz Abdhir, the brother of Rahmat and Zulkifli, used this account. The e-  
22 mail messages between the brothers revealed that Rahmat would provide instruction to Hafiz  
23 Abdhir as to how a deposit in the account should be distributed.

24 21. Bank records reflect that on January 21, 2005, Rahmat Abdhir sent \$800 to the  
25 Maybank account. He wired an additional \$700 to this account on November 3, 2005.

26 22. Bank records corroborate e-mail correspondence between and among all three  
27 brothers regarding Rahmat's transfer of an additional \$5,500 to the Maybank account in or about  
28

1 late August 2006. On August 19, 2006, Zukifli Abdhir sent an e-mail to Rahmat Abdhir to  
2 advise him that his commander wanted to borrow \$300 and asked if money could be deposited.  
3 On or about this same date Zulkifli Abdhir sent another e-mail to Rahmat Abdhir; in this  
4 message he discussed the need to purchase 200 rounds of ammunition and repair a M-60. On or  
5 about August 31, 2006, Zulkifli Abdhir sent an e-mail correspondence to Rahmat Abdhir  
6 advising him that he needs \$300 to help pay of a Bushmaster. On or about August 30, 2006,  
7 Rahmat Abdhir sent an e-mail to what is believed to be his brother Hafiz' email address to advise  
8 him that \$5,500 will arrive the day after tomorrow. Bank of America records show that on or  
9 about August 31, 2006, Rahmat Abdhir transferred \$5,500.00 from his Bank of America account  
10 to the Maybank account.

11 23. On September 21, 2006, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir in  
12 which he stated, "My friend said there is an M-14 for sale. It is owned by a retired army  
13 personnel. I think in October you could send a thousand. I am going to use it for my friend's  
14 truck first. Next month it should go back to the same. Because it is quite hard to find it again,  
15 have to wait a while. I bought the Bushmaster from the seized goods. I was fortunate enough to  
16 grab it fast that day; it would have been purchased by other people if I waited two days later."

17 24. On or about September 29, 2006, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir  
18 in which he stated, "This morning my friend bought an M14, the price was 70,000 p, within  
19 \$1,400. Three years ago the price was 50,000. This is because Datu Andal makes high offers  
20 therefore iron prices have increased. Datu Andal does not pay teachers' salaries. He uses the  
21 money to buy iron hehe. The wife of my uncle here has not received her salary for six months. I  
22 also have borrowed \$100 from my friend because I am short of money. That does not include the  
23 magazine and pouch. Need \$200 more. The price of an M16 has reached 55,000 now. It used to  
24 be 35,000. The magazine costs \$30 each. It's crazy. When you have some, do send to Obek soon.  
25 My stock of rice is enough only for a few days. The other day I paid off the money for the  
26 Bushmaster because the person asked for it. The village chief who was going to pay for the .45  
27 spetol [sic] that I sold the last time, has not paid yet. He paid \$400 in advance and said would pay  
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1 400 more in a month. This has been a month...he came just now and appeared to be in difficulty.  
2 People here are like that. If they owe money, it is hard for them to pay. Most of them do not keep  
3 their promises. I do not feel good about asking for it because he is a high-ranking commander  
4 here....just like providing protection hehe. He has 3 wives and many subordinates."<sup>1</sup>

5 25. Bank records reflect that on September 29, 2006, Rahmat Abdhir wired \$1,000 to  
6 the Maybank account. Within two weeks, Rahmat Abdhir deposited an additional \$2,100 in the  
7 Mayback account on October 12, 2006; these additional funds were sent with three days of an  
8 request for money from Zulkifli. On October 9, 2006, Zulkifli sent an email to Rahmat in which  
9 he stated, "My three irons still need \$200 more for the magazine and the ammunition. The  
10 commander asked me to get him again 600 pieces which is \$200. My bngla friend had asked me  
11 to help him with \$200 because he wants to deliver some presents to D. Andal's people. The  
12 Keling guy at Awa asked for help with some money to buy rice and milk for his five children. ..  
13 hehe. Left and right have been asking for help. If there's some extra I think I want to purchase  
14 some \$10 dollar pineapples, or a short iron made in China which is \$400, or a local made M203  
15 which is \$200. The bullets cost \$10 each, or \$200 for 20 pieces, hehe. The original M203 would  
16 cost 3K."

17 26. In 2007, Rahmat Abdhir continued to use his Bank of America account  
18 xxxxxx1479 to transfer funds to Zulkifli Abdhir. On January 5, 2007, Rahmat Abdhir wired  
19 \$3,780 from his Bank of America account to the Maybank account. On January 8, 2007, Rahmat  
20 Abdhir received an e-mail from Hafiz which confirmed that the money from the wire transfer had  
21 arrived, of which at least \$780 was received by Zulkifli Abdhir.

22 27. E-mail correspondence between the brothers also establish that Zulkifli Abdhir  
23 directed Rahmat Abdhir to deposit money in the Hashim account for Zulkifli's benefit.

24 28. On or about November 20, 2006, Zulkifli Abdhir sent an e-mail to Rahmat  
25 Abdhir in which he stated, "Bngla wkmn is "hot". He used to be the chef inside. His group is the  
26 poorest of all, three Moro M-16 Armalites, five old Garands, one M-14, one Mauser, one Moro

27 \_\_\_\_\_  
28 <sup>1</sup>Bushmaster, M-14 and M-16 are types of firearms.



1 M-79, and two RPG2s. This month, if you have enough, please send money. I am running out."

2 29. On or about November 23, 2006, Rahmat Abdhir sent an e-mail to Zulkifli  
3 Abdhir in which he stated, "Let's just wait a while, this December I will have to pay taxes for the  
4 house. I think I could send 300. Which account do you want me to deposit it into?"

5 30. On or about November 24, 2006, Zulkifli Abdhir sent an e-mail to Rahmat  
6 Abdhir in which he stated, "You can deposit it into Normina's? Even into Kopek's is okay...  
7 Please let me know once it is in."

8 31. On or about December 4, 2006, Rahmat Abdhir sent an e-mail to Zulkifli Abdhir  
9 in which he stated, "It is in - three hundred. Last Saturday."

10 32. A review of a PNB Remittance Center, Inc. money remittance receipt, dated  
11 December 1, 2006, lists Rahmat Abdhir as the sender of \$300.00 to Normina K. Hashim, NO 125  
12 C Bonifacio St, Kidapawan City Cotabato

13 33. From 2003 through 2006, records from Bank of America, E-Trade, Wells Fargo  
14 and PNB money remittance service confirm that Rahmat Abdhir used his E-Trade and Wells  
15 Fargo accounts to fund his Bank of America account, which in turn was one of the sources of  
16 financial support to Zulkifli Abdhir. Specifically, Rahmat transferred funds from his E-Trade  
17 account number xxx-22920 and his Wells Fargo Bank account number xxxxxx4687.

18 34. Bank records reflect that on July 9, 2003, Rahmat Abdhir obtained a check from  
19 his E-Trade account for \$3,500 which he deposited into his Bank of America account. On the  
20 same day, Rahmat made a cash withdrawal of \$2,300 from this Bank of America account, and he  
21 conducted a number of wire transactions to Zulkifli Abdhir through the PNB money remittance  
22 service. The PNB money remittance service records establish that on July 9, 2003, Rahmat sent  
23 \$1,200 to the PNB Escalante account and \$1,000 to the PNB Alombra account.

24 35. On September 2, 2003, Rahmat Abdhir received another check from his E-Trade  
25 account for \$6,000. Bank of America records reflect, on this date, he deposited this check into  
26 his Bank of America account and withdrew \$2,000. On September 3, 2003, he sent \$1,800 via  
27 the PNB money remittance service, to Zulkifli Abdhir's Alombra account.

1           36.     On October 13, 2003, Rahmat Abdhir received a \$5,000 check from his E-Trade  
2     account, which he deposited into his Bank of America account. On October 23, 2003, Rahmat  
3     withdrew \$1,010.30 in cash and made a \$200 debit withdrawal from the Bank of America  
4     account. In response to an e-mail request for money from his brother Zulkifli Abdhir, records  
5     show that Rahmat Abdhir used the PNB money remittance service to transfer \$800 to the  
6     Escalante account on October 25, 2003 and \$1,200.00 to the Alombra account on November 1,  
7     2003.

8           37.     Rahmat Abdhir also used his Wells Fargo Bank account number xxxxxx4687 to  
9     fund his Bank of America account and provide financial assistance to his brother. Bank of  
10    America records reflect that on June 7, 2006, Rahmat Abdhir deposited a \$3,500 check and a  
11    \$1,000 check into his Bank of America account. These checks were made payable to Rahmat  
12    Abdhir, from his Wells Fargo account. These transactions occurred on the same day Rahmat  
13    Abdhir received an e-mail request for money from Zulkifli Abdhir. On June 7, 2006, Zulkifli  
14    Abdhir sent an e-mail to Rahmat Abdhir and expressed his need for additional funds. He asked  
15    Rahmat Abdhir to send the money to an account in the name of his wife's cousin, Normina K.  
16    Hashim. Per these instructions, the PNB money remittance service records establish that Rahmat  
17    Abdhir sent \$500 to Zulkifli Abdhir on June 10, 2006.

18          38.     On June 26, 2006, Rahmat Abdhir deposited another \$1,000 check into his Bank  
19    of America account. This check was made payable to Rahmat Abdhir from his Wells Fargo  
20    account. PNB money remittance service records confirm Rahmat transferred another \$500 to  
21    Zulkifli Abdhir on July 3, 2006 per Zulkifli Abdhir's request for money.

22          39.     These transfers occurred at the time he sent money in support, through the money  
23    remittance service, to Zulkifli Abdhir. The relationship between the deposits into the Bank of  
24    America account and the transfer of funds to Zulkifli Abdhir, establishes that Rahmat Abdhir  
25    used funds from his E-Trade and Wells Fargo accounts to aid his brother.

26          40.     Between September 2006 and January 2007, Rahmat Abdhir sent Zulkifli Abdhir  
27    three shipments of two-way radios totaling twenty-eight radios. On the shipments, Rahmat  
28

1 Abdhir filled out either a Customs Declaration or DHL Express waybill listing the two-way  
2 radios as "walkman" and utilized three different aliases for the sender information. In the e-mail  
3 correspondence between Rahmat and Zulkifli during this period, they discuss these shipments,  
4 how to conceal them, the violent activities in which Zulkifli is involved, and well as Zulkifli  
5 request for money.

6 41. For example, on or about September 9, 2006, Zulkifli Abdhir sent an e-mail to  
7 Rahmat Abdhir in which he stated, "This is the address. You send 2 sets first. To: Muslimin  
8 Abdulmotalib c/o Richard M.Sabdula, Purok Pinen, Rosales Street, Cotabato City, 9600  
9 Philippines. Do not use your real name."

10 42. On or about September 17, 2006, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir  
11 in which he stated, "If you have time, please send the radios a little bit quicker, because the guy  
12 wants to use them soon..within this fasting month.."

13 43. On or about September 21, 2006, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir  
14 in which he stated, "My friend said there is an M-14 for sale. It is owned by a retired army  
15 personnel. I think in October you could send a thousand. I am going to use it for my friend's truck  
16 first. Next month it should go back to the same. Because it is quite hard to find it again, have to  
17 wait a while. I bought the Bushmaster from the seized goods. I was fortunate enough to grab it  
18 fast that day; it would have been purchased by other people if I waited two days later."

19 44. On or about September 29, 2006, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir  
20 in which he stated, "This morning my friend bought an M14, the price was 70,000 p, within  
21 \$1,400. Three years ago the price was 50,000. This is because Datu Andal makes high offers  
22 therefore iron prices have increased. Datu Andal does not pay teachers' salaries. He uses the  
23 money to buy iron hehe. The wife of my uncle here has not received her salary for six months. I  
24 also have borrowed \$100 from my friend because I am short of money. That does not include the  
25 magazine and pouch. Need \$200 more. The price of an M16 has reached 55,000 now. It used to  
26 be 35,000. The magazine costs \$30 each. It's crazy. When you have some, do send to Obek soon.  
27 My stock of rice is enough only for a few days. The other day I paid off the money for the  
28

1 Bushmaster because the person asked for it. The village chief who was going to pay for the .45  
2 spetol [sic] that I sold the last time, has not paid yet. He paid \$400 in advance and said would pay  
3 400 more in a month. This has been a month...he came just now and appeared to be in difficulty.  
4 People here are like that. If they owe money, it is hard for them to pay. Most of them do not keep  
5 their promises. I do not feel good about asking for it because he is a high-ranking commander  
6 here....just like providing protection hehe. He has 3 wives and many subordinates."

7 45. On September 23, 2006, FBI surveillance teams followed Rahmat Abdhir, driving  
8 the defendant black and silver Suzuki 4x4, California License Plate number 4YFF388, to the  
9 United States Post Office, Hillview Station, located at the intersection of Fontaine and Alvin, San  
10 Jose, California. The FBI surveillance team observed Rahmat Abdhir enter the post office  
11 carrying a brown box and filling out paperwork at the counter.

12 46. On September 23, 2006, the FBI accompanied US Department of Homeland  
13 Security, Immigrations and Customs Enforcement (ICE) and Custom and Border Patrol (CBP)  
14 agents on a search of the above-mentioned package. The search was conducted at the San  
15 Francisco International Airport US Post Office on a foreign bound parcel, pursuant to CBP  
16 guidelines. The package was addressed to Muslimin Abdulmotalib, c/o Richard M. Sabdullah,  
17 Purok Pinen, Rosales Street, Cotabato City 9600, Phillippines. The package's "from:" address  
18 was Roy Kalimin, 1020 S 12th Street #B5, San Jose, California 95112. The search identified the  
19 contents as follows: two packages each containing two Insignia brand 10 miles radios, Model  
20 number IN-FR10111 (total of four radios, each package contained one charging unit for the  
21 radios).

22 47. On or about September 26, 2006, Rahmat Abdhir sent an e-mail to Zulkifli Abdhir  
23 in which he stated, "Sent on Saturday by USPS Express -from Roy Kalimin: two walkman. The  
24 person said it would arrive in three to five days. Don't know, le.. Fedex or DHL does not allow  
25 cash payments. Ha. One thousand dollars."

26 48. On or about January 11, 2007, Zulkifli Abdhir sent an e-mail to Rahmat Abdhir in  
27 which he stated, "... How many sets of Walkmans have you bought? When do you think you're  
28

1 going to send them? . . ."

2 49. On or about January 14, 2007, Rahmat Abdhir sent an e-mail to Zulkifli Abdhir in  
3 which he stated, "I have received five sets. I just ordered five more, including three 12-mile range  
4 sets. We'll see - once they arrive at the end of this month I will send them out. Yeah, I have  
5 checked out the news, those eleven are names of large 'barges'."

6 50. On January 20, 2007, FBI surveillance teams followed Rahmat Abdhir, driving  
7 the defendant black and silver Suzuki mentioned above to the United States Post Office located  
8 at the Eastridge Mall, 129 Eastridge Mall, San Jose, California. The FBI surveillance team  
9 observed Rahmat Abdhir filling out a customs declaration form and mailing a package.

10 51. On January 20, 2007, the FBI accompanied US Department of Homeland  
11 Security, Immigrations and Customs Enforcement (ICE) and Custom and Border Patrol (CBP)  
12 agents on a search of the above-mentioned package. The search was conducted at the San  
13 Francisco International Airport Air-mail facility on a foreign bound parcel, pursuant to CBP  
14 guidelines. The package was addressed to Muslimin Abdulmotalib c/o Richard M.Sabdula,  
15 Purok Pinen, Rosales Street, Cotabato City 9600 Philippines. The package's "from" address was  
16 Sean Kasem, 1020 South 12th Street #230, San Jose, California. The package contained the  
17 following items:

- 18 a. One (1) camouflage long-sleeve, button-down shirt;
- 19 b. One (1) camouflage jacket;
- 20 c. Fourteen (14) yellow and black Uniden GMRS 2-way radios;
- 21 d. Six (6) black Audiovox GMRS 12-mile range 2-way radios. One pair in  
22 original packaging, two pair in plastic bags;
- 23 e. Two (2) Brinkmann flashlights; one silver and black, one metallic; and
- 24 f. Six (6) packets of miscellaneous spices.

25 52. On January 22, 2007, Rahmat Abdhir sent an e-mail to Zulkifli Abdhir in which  
26 he stated, "I have delivered 10 sets of Walkman last Saturday, using express service just like the  
27 last time. Both the numbers you gave me for the website do not work. I clicked the link on the  
28 website for the cargo services, and it also was not working... So the charge was ninety one

1 dollars. A camouflage jacket, 1 camouflage shirt, 2 flashlights, and a little bit of spices. For your  
2 wife, I will deposit 100 at the beginning of the month."

3 53. On August 2, 2007, law enforcement agents executed duly authorized search  
4 warrants at Rahmat's residence located 231 Capitol Expressway, San Jose, California, and a  
5 storage facility that Rahmat utilized to store various items. During their search of those  
6 locations, law enforcement agents seized the defendant miscellaneous firearms and ammunition,  
7 and the defendant conveyance.

8 54. On August 2, 2007, law enforcement agents executed duly authorized seizure  
9 warrants for the funds on deposit in Rahmat Abdhir's Bank of America account xxxxxx1479,  
10 Wells Fargo account xxxxxx4687, and E\*Trade account xxx-22920 (also identified by account  
11 number xxxxxxxxxxx1814). As a result of those warrants, the defendant funds were seized.

12 **CLAIM FOR RELIEF**

13 **18 U.S.C. § 981(a)(1)(G)(iv)**

14 55. Plaintiff incorporates by reference the allegations of paragraphs one through 54 as  
15 though fully set forth.

16 56. Title 18, United States Code, Section 981(a)(1)(G)(iv) provides, in part, for the  
17 forfeiture of all assets, foreign or domestic of any individual, entity or organization engaged in  
18 any acts of international terrorism, as defined in section 2331, against a foreign government.

19 57. Title 18, United States Code, Section 2331(1)(A) defines international terrorism  
20 as activities which involve violent acts or acts dangerous to human life that are a violation of the  
21 criminal laws of the United States or of any State, or that would be a criminal violation if  
22 committed within the jurisdiction of the United States or of any State.

23 58. In light of the foregoing, and considering the totality of the circumstances, there is  
24 probable cause to believe that the defendant property, which belongs to Rahmat Abdhir, an  
25 individual engaged in the planning or perpetuating acts of international terrorism as defined by  
26 section 2331 against a foreign government. There is also probable cause to believe that the  
27 defendant property was used or intended to be used in preparation and carrying out of violations  
28

1 of Title 18, United States Code, Sections 956(a)(1) and 2339A. The defendant property is thus  
2 forfeitable to the United States under Title 18, United States Code, Section 981(a)(1)(G)(iv).


3 **PRAYER FOR RELIEF**

4 59. Plaintiff prays that due process issue to enforce the forfeiture of the defendant  
5 property, that due notice be given to all interested parties to appear and show cause why the  
6 forfeiture should not be decreed, that judgment of forfeiture be entered against the defendant  
7 currency, and that plaintiff be awarded such other relief as may be proper and just.  
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9  
10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO  
12 United States Attorney

13  
14 Dated: 1/23/08

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16 STEPHANIE HINDS  
17 Assistant United States Attorney  
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**VERIFICATION**


I, Christopher A. Calderon, state as follows:

1. I am a Special Agent for the Federal Bureau of Investigation. I am familiar with the facts in the investigation leading to the filing of this Complaint for Forfeiture.

2. I have read the Complaint for Forfeiture and based upon review of relevant investigative reports, review of documentary evidence and discussions with other persons involved in the investigation, I believe that the allegations contained therein are true.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 23 day of January, 2008, in San Jose, California.

  
CHRISTOPHER A. CALDERON  
Federal Bureau of Investigation